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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,103	11/30/2001	Michael D. Geren	EN 11346	4422

7590 10/05/2004

Motorola, Inc.
Law Department
Room 1610
8000 West Sunrise Boulevard
Fort Lauderdale, FL 33322

EXAMINER

GELIN, JEAN ALLAND

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/998,103	GEREN ET AL.	
	Examiner	Art Unit	
	Jean A Gelin	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11-30-01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinzalow et al. (US 6,052,603) in view Hadley et al. (5,243,640).

Regarding claim 1, Kinzalow teaches a hands-free device (interface 10 is housed in cradle 28 or adapter 50 corresponding to the device) for a portable electronic unit (12), the device comprising: a housing for accommodating electrical circuitry (figs. 2-3); a cable for coupling to a portable electronic device, the cable comprising a device specific connector (col. 3, line 64 to col. 4, line 42); a power connector for coupling power to the device (col. 4, lines 1-27); and a connector for coupling to a radio back plate (when the interface is connected to socket 32 internal speaker of the phone is disable and all audio signals are relayed to he radio device, col. 5, lines 15-22).

Kinzalow fails to teach at least a mute signal and an audio signal; wherein the mute signal is actuated when data is transmitted from the device to the radio back plate.

However, the preceding limitation is known in the art of communications. Hadley teaches muting the radio signal when a telephone call is in progress to avoid noises being produced over the speaker (fig. 3, col. 3, lines 10-56). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to

implement the technique of Hadley within the system of Kinzalow in order to provide an interface between an audio system and a telephone that avoids abruptly cutting off the audio in response to the reception of a call by the telephone.

Regarding claim 2, Kinzalow in view of Hadley teaches all the limitations above. Kinzalow further teaches a microphone and electrical circuitry for processing signals from the microphone (col. 5, lines 18-21).

Regarding claim 3, Kinzalow in view of Hadley teaches all the limitations above. Hadley further teaches wherein the electrical circuitry comprises: an audio amplification circuit for amplifying the audio signal (col. 2, line 61 to col. 3, line 32); and a switching circuit for actuating the mute signal (col. 2, line 61 to col. 3, line 32).

Regarding claim 4, Kinzalow in view of Hadley teaches all the limitations above. Kinzalow further teaches wherein the portable electronic unit comprises a mobile telephone (12).

Regarding claim 5, Kinzalow in view of Hadley teaches all the limitations as recited in claim 1 above. Kinzalow further teaches wherein the housing comprises a first part (interface 10) and a second part (cradle 28) (housing the interface in adaptor 50, col. 4, lines 12-32), wherein the first part has a first mating means for mechanically coupling to the second part and the second part has a corresponding mating means for coupling to the first part (col. 4, lines 13-34).

Regarding claim 6, Kinzalow in view of Hadley teaches all the limitations above. Kinzalow further teaches a first set of electrical connectors and the second part comprises a corresponding set of electrical connectors (figs. 2A-2D, col. 4, lines 13-65).

Regarding claim 7, Kinzalow in view of Hadley teaches all the limitations above. Kinzalow further teaches wherein the first part is capable of mechanically and electrically coupling to the second part (figs. 2A-2D, col. 4, lines 13-65).

Regarding claim 8, Kinzalow in view of Hadley teaches all the limitations above. Kinzalow further teaches wherein the portable electronic unit is selected from the group consisting of mobile telephones, personal data assistants, computers, compact disc players and MP3 players (col. 11, line 50 to col. 12, line 23).

Regarding claim 9, Kinzalow in view of Hadley teaches all the limitations as recited in claim 5 above. Hadley further teaches means for detecting activity of the portable electronic unit and actuating the means for coupling the device to the mute input upon detection of the activity (col. 3, lines 24-32).

Regarding claim 10, Kinzalow in view of Hadley teaches all the limitations above. Kinzalow further teaches wherein the interface device further comprises a microphone and microphone amplification circuitry (col. 1, lines 60-65, col. 5, lines 18-50).

Regarding claim 11, Kinzalow in view of Hadley teaches all the limitations above. Kinzalow further teaches wherein the portable electronic unit comprises a mobile telephone (fig. 2A-2D).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen	US 6,173,195	01/09/2001
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Chen	US 6,397,086	05/28/2002
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Pan	US 6,304,764	10/16/2001
Sadler	US 6,058,319	05/02/2000
Gong	US 6,301,491	10/09/2001

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on (703) 308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEAN GELIN
PRIMARY EXAMINER

JGelin
September 28, 2004

Jean Gelin